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April 16, 1996

BY HAND

Mr. James Crutchfield
Audio Services Division
Mass Media Bureau
Federal Communications Commission
1919 M Street, NW, Room 332
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

Re: **MM Docket No. 92-317**
(New) FM, Milford, IA
File No. BPH-911004MG

Dear Mr. Crutchfield:

As you requested, I am enclosing a copy of the *Memorandum Opinion and Order* dated March 28, 1996 in the above-referenced proceeding. In it Judge Luton approved the settlement agreements between Milford Broadcasting, Inc. and Sharon A. Mayer, dismissed the application of Milford Broadcasting, Inc., accepted the amendment of Sharon Mayer which specified New Milford Broadcasters, Inc. as the new applicant and changed the proposed site of the new station, and granted the application of New Milford Broadcasters, Inc., as amended.

New Milford Broadcasters, Inc. is anxious to complete construction as soon as possible. Taking into account the current work load of the Division, we respectfully request the earliest possible processing of the amended application and issuance of a construction permit.

Thank you for your assistance in this matter.

Sincerely,

REED SMITH SHAW & McCLAY



Marnie K. Sarver

Enclosures (MO&O and Erratum)

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554


In re Application of)	MM Docket No. 92-317
)	
MILFORD BROADCASTING CO.)	File No. BPH-911003MI
)	
SHARON A. MAYER)	File NO. BPH-911004MG
)	
For Construction Permit)	
for a New FM Station on)	
Channel 271C2 in Milford, Iowa)	

EXPLANATION

Change the Ordering paragraph of Order, FCC 96M-55, released March 28, 1996, to read as follows:

"IT IS ORDERED THAT 1) The Joint Request for Approval of Settlement Agreements IS GRANTED and the Agreements ARE APPROVED; 2) the Petition for Leave to Amend IS GRANTED and the Amendment, specifying the new applicant New Milford Broadcasters, Inc. IS ACCEPTED; 3) the Application of Milford Broadcasting Company is DISMISSED with prejudice; 4) the Application of New Milford Broadcasters, Inc., IS GRANTED; and 5) this proceeding IS TERMINATED."

FEDERAL COMMUNICATIONS COMMISSION


Edward Luton
Administrative Law Judge

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FCC 96M-55

In re Application of)	MM Docket No. 92-317
)	
MILFORD BROADCASTING CO.)	File No. BPH-911003MI
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SHARON A. MAYER)	File No. BPH-911004MG
)	
For Construction Permit)	
for a New FM Station on)	
Channel 271C2 in Milford, Iowa)	

MEMORANDUM OPINION AND ORDER

Issued: March 21, 1996 ; Released: March 28, 1996


1. Under consideration are 1) Petition for Leave to Amend, filed January 11, 1996 by Sharon A. Mayer; 2) Joint Request for Approval of Settlement Agreements, filed December 14, 1995 by Sharon A. Mayer and Milford Broadcasting Company; and 3) Mass Media Bureau's Comments on Joint Request for Approval of Settlement Agreements and Petition for Leave to Amend, filed by the Bureau on January 25, 1996.

2. Mayer seeks to amend her application to specify a new applicant, New Milford Broadcasters, Inc. (NMBI), which will be owned 51% by Mayer and 49% by a new party to the proceeding, Campus Radio Company, Inc. (Campus). Mayer also seeks to amend the engineering portion of her application to specify the antenna site of Campus' licensed radio station KUOO, Spirit Lake, Iowa. The agreements among Mayer, Milford and Campus call for the dismissal of the Milford application in exchange for consideration to be paid by Campus and a grant of the amended Mayer application.

3. The amendment satisfies the good cause criteria. See Rebecca Radio of Marco, 4 FCC Rcd. 830, 834 (1989). The Joint Request and supporting materials submitted by the parties conform to the requirements of the Commission's Rules. Specifically, the parties have established that approval of the agreement is in the public interest and that their applications were not filed for an improper purpose. The settlement will be approved.

IT IS ORDERED THAT 1) The Joint Request for Approval of Settlement Agreements IS GRANTED and the Agreements ARE APPROVED; 2) the Petition for Leave to Amend IS GRANTED and the Amendment, specifying the new applicant New Milford Broadcasting Company IS DISMISSED with prejudice; 4) the Application of New Milford Broadcasters, Inc., IS GRANTED; and 5) this proceeding IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION


Edward Luton
Administrative Law Judge